BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

In the Matter of:

Approving an authorization to apply for the City's remaining $113,000 in Measure AA local grant funds under the EBRPD Regional Open Space, Wildlife, Shoreline, and Parks Bond Ordinance.	))))	Resolution No.2009-46

WHEREAS, the East Bay Regional Park District (EBRPD) extended the agreement between the City of Lafayette (CITY) and EBRPD until December 31, 2010 for the remaining $113,000 of Measure AA funds; and

WHEREAS, the EBRPD requires the CITY to spend these funds prior to releasing any Measure WW funds; and

WHEREAS, the 2009-10 CITY budget includes a project that is eligible for these funds, namely the 'Burton Ridge Trail Connector'; and

WHEREAS, the CITY must certify by resolution the approval of an application before submitting said application to EBRPD;

NOW, THEREFORE, the City Council of the City of Lafayette hereby:

1. Approves the filing of an application for the amount of $113,000 from the Local Grant Program under the East Bay Regional Park District Measure AA Park Bond Measure; and
2. Certifies the CITY understands the assurances and certification in the application form; and
3. Certifies the CITY shall perform all acts and obligations of the agency under the application and the instruments and documents delivered pursuant thereto; and
4. Certifies the CITY has, or will have, sufficient funds to operate and maintain the Project; and
5. Certifies the CITY has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
6. Certifies the CITY shall use the funds from the Local Grant Program to develop the project in accordance with the application; and
7. Certifies the CITY reasonably expects to complete the project within three years from the agreement date; and
8. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

PASSED AND ADOPTED by the City Council of the City of Lafayette at a regular meeting of said Council on August 10, 2009 by the following vote:

10D

AYES:

NOES:

ABSENT:

RECUSED:

_____

Mayor

ATTEST:

_____

City Clerk